



amazon
**LABOR
UNION**

CONSTITUTION AND BY-LAWS

2022

INDEX

Article 1 - Name & Nature

Section 1.1 - Name
Section 1.2 - Operation
Section 1.3 - Headquarters
Section 1.4 - Jurisdiction
Section 1.5 - Objectives
Section 1.6 - Charter

Article 2 - Membership

Section 2.1 - Eligibility for Membership
Section 2.2 - Duties of Membership
Section 2.3 - Eligibility to Hold Office

Article 3 - The Executive Board

Section 3.1 - Executive Officers
Section 3.2 - Duties of President
Section 3.3 - Duties of Vice President
Section 3.4 - Duties of Secretary-Treasurer
Section 3.5 - Duties of Executive Secretary

Article 4 - Steward Committees

Section 4.1 - The Steward Committee and its Duties
Section 4.2 - Stewards
Section 4.3 - Committee Chairperson

Article 5 - Nomination of Officers

Section 5.1 - Nomination Procedure

Article 6 - Elections

Section 6.1 - Election Procedure
Section 6.2 - Challenging Conduct or Results

Article 7 - Meetings

Section 7.1 - General Membership Meetings
Section 7.2 - Worker's Committee Meetings

Article 8 - Financial Aspects

Section 8.1 - Dues
Section 8.2 - Handling and Distribution
Section 8.3 - Compensation
Section 8.4 - Dissolution

Article 9 - Charges and Grievances

Section 9.1 - Basis for Charges
Section 9.2 - Freedom of Deliberation and Assembly

Article 10 - Trials and Appeals

Section 10.1 - Fair Treatment
Section 10.2 - Filing of Charges
Section 10.3 - Trial Board
Section 10.4 - Trial Procedure
Section 10.5 - Decisions and Penalties
Section 10.6 - Exhaustion of Remedies

Article 11 - General Provisions

Section 11.1 - Recordkeeping
Section 11.2 - Election Influence
Section 11.3 - Political Contributions
Section 11.4 - Political Endorsements
Section 11.5 - Treasury Loans
Section 11.6 - Liability

Article 12 - Amendments

Section 12.1 - Amendment Procedure

Article 13 - Ratification

Article 14 - Savings Clause

Pre-Certification Provision

Article 1 - Name & Nature

Section 1.1 - Name

This organization shall be known as the **AMAZON LABOR UNION**.

Section 1.2 - Operation

This organization shall not operate for profit.

Section 1.3 - Headquarters

The principal office of this Union shall be determined by the Executive Board. The executive board may change the location of the principal office. The Executive Board may also establish and maintain other offices at other locations.

Section 1.4 - Jurisdiction

The jurisdiction of this Union shall include, but not be limited to, all workers in every job category, classification of Amazon.com, Inc., its subsidiaries, affiliates, or otherwise any employee whose circumstances have ever been substantially connected to or affected by the working conditions of Amazon.com, Inc. in Staten Island, NY, with the understanding that pursuant to a vote by the Executive Board the jurisdiction can be expanded to include any other region in which the Amazon Labor Union is elected or voluntarily recognized as a bargaining representative.

Section 1.5 - Objectives

- (a). To improve the wages, benefits, working conditions, terms of employment, job security, and general welfare of its members and other workers.
- (b). To organize unorganized workers.
- (c). To be the mechanism by which our communities reclaim the stability and prosperity that has been extracted by exploitative business practices.
- (d). To encourage all Amazon Labor Union members without regard to race, creed, color, national origin, sex, gender identity, sexual orientation, hair, caste, immigration status, criminal record or ancestry to share equally in the full

benefits of union organization.

- (e). To form an organization whose pillars are democracy, collective action, and mutual aid.
- (f). To provide our members the tools and the courage to collectively change their working conditions and exploitative work culture
- (g). To protect this Union from any and all corrupt influences and from undermining efforts of those who are opposed to the basic principles of our democracy and free and democratic unionism.
- (h). To safeguard the democratic character of the labor movement.
- (i). To advance the interests of the membership of the Union in the improvement of general economic and social conditions through engaging in legislative, political, education, civil, welfare, and other appropriate activities.

Section 1.6 - Charter

This Union is established and shall exist pursuant to this Constitution and By-Laws, and the Union shall at all times be subject to the Constitution, by-laws, rules, regulations, policies, practices, lawful orders and decisions of said Union.

Article 2 - Membership

Section 2.1 - Eligibility for Membership

- (a). Eligibility for membership in the Union shall be restricted to all workers in every job category, classification of Amazon.com, Inc., its subsidiaries, affiliates, or otherwise and any employee whose circumstances have ever been substantially connected to or affected by the business practices of Amazon.com, Inc. in Staten Island, NY. The Executive Board is empowered to expand the membership eligibility of the Union at its discretion.
- (b). Terminated employees may retain membership status at their discretion and pay dues accordingly.
- (c). Workers who are furloughed, laid off, or for any other reason are out of work through no fault of their own whether for workers compensation, medical leave or a leave of absence, maintain their eligibility of membership and will see their dues obligations waived for the duration of their time out of work.

Section 2.2 - Duties of Membership

- (a). Members must abide by the Union Constitution, and the laws, rules, regulations, policies, lawful orders and decisions of the Union.
- (b). Members shall refrain from conduct that would interfere with the performance of the Union's lawful and contractual obligations.
- (c). Members shall comply with and honor the provisions of contracts entered into between the Union and the Employer.
- (d). No member shall engage in discrimination against a member or any other person having business with the union based on race, hair, criminal record, immigration status, color, religion or creed, national origin, age, disability, marital status, sex (including sexual harassment), sexual preference or orientation, gender identification, caste, criminal record or citizenship status.

(e). No member shall attempt to cause secession by this Union; join an organization or Union that is openly and clearly antagonistic to the Amazon Labor Union and its ideals; circulate false reports or gross and willful misrepresentations about the integrity of the Amazon Labor Union; advocate or commit or incite an act or series of acts which would injure the best interests of the Union.

Section 2.3 - Eligibility to Hold Office

- (a). A candidate for office must be a member in good standing.
- (b). A candidate for office must have at least one-hundred-eighty (180) days of aggregate experience in a role or job function at a workplace at Amazon.com in Staten Island, NY or in any jurisdiction so designated by the Executive Board.
- (c). To be eligible for office, a member shall be required to attend at least five (5) Steward Committee meetings and two (2) general membership meetings preceding the one year prior to the nomination meeting.

Article 3 - The Executive Board

Section 3.1 - Executive Officers

- (a). The officers of this Union shall consist of a President, Vice President, Secretary-Treasurer, and Executive Secretary.
- (b). The officers of this Union, along with the elected chairpersons of each workers' committee, shall constitute an Executive Board.
- (c). The Executive Board is authorized to establish the day to day function of the union by establishing policies and procedures to that end.
- (d). All elected officers shall serve for a term of three (3) years.
- (e). All vacancies of elective officers including but not limited to, resignation, removal, expulsion, suspension or for any other reason shall be filled by appointment by the President subject to the eligibility requirements of Article 2 and such appointed officers shall serve in the office for the balance of the unexpired term.
- (f). The annual salary of Executive Board officers shall be no more than the average salary of the membership.
- (g). In order for the Executive Board to pass any resolution or begin an official meeting there must be a quorum.

Section 3.2 - Duties of President

The President shall function as the chief executive officer of the Union and shall employ and direct all Union staff except as otherwise provided in this Constitution. The President shall establish the salary, expenses, allowances, and/or other remuneration of such employees and shall submit a report to the Executive Board detailing the compensation of each employee. The Executive Board shall ratify the compensation structure with such revisions as it sees fit. A copy of the report shall be accessible to the membership.

The President of the Union shall:

- (a). Preside at all regular and special meetings of the Union and its Executive Board.
- (b). Preserve order and enforce the Constitution and By-Laws of the Union.
- (c). Be an ex-officio member of all committees, but shall have no vote at the meetings at which they preside.
- (d). Have the authority to appoint special committees and direct union resources therewith, subject to approval by the Executive Board.
- (e). Sign checks jointly with the Treasurer.
- (f). Be at all times responsible to the Executive Board and the membership of the Union.
- (g). Employ staff and vendors, with each hiring decision being subject to review at the next executive board meeting.

The laws of this Union, as contained in these By-Laws, shall be interpreted by the President consistently, with the language and intent of the Constitution. Their decisions thereon shall be binding upon all individual members subject to appeal to the Union's Executive Board within seven (7) days of a determination or decision by the President.

Section 3.3 - Duties of Vice President

The Vice President shall assist the President, and in their absence or when called upon, shall preside at general or special meetings. The Vice President shall succeed to the office of President if it becomes vacant.

The Vice President shall assist the President in all Union activities relating to organizing the unorganized, training and directing staff organizers, mobilization of union membership towards service to the community, engagement of rank-and-file membership, communication and interaction with organized workers, and the development of a culture of solidarity.

Section 3.4 - Duties of Secretary-Treasurer

The Secretary-Treasurer shall be in charge of and preserve all funds, properties, securities, and other evidence of investment, books, documents, files and effects of the Union which shall at all times be subject to the inspection of the President and Executive Board and consistent with applicable law. The Treasurer shall deposit the funds of the Union in banks and institutions insured by a United States Government Agency in the name of this Union. The Secretary-Treasurer may invest and expend the funds of the Union in accordance with these By-Laws and pursuant to the direction or resolution of the general membership or the Executive Board.

The Secretary-Treasurer shall be required to provide for an audit of all books, accounts, records, and financial transactions of the Union on an annual basis by an accredited and independent auditing firm. The Treasurer must provide a report of all funds disbursed and received to the Executive Board quarterly or upon request. The Secretary-Treasurer shall also keep membership informed of all newly recorded expenses, revenue, investments, and reimbursements at regular meetings.

The Secretary-Treasurer shall also be responsible for maintaining the active membership roster and required filings of the Union.

Section 3.5 - Duties of Executive Secretary

The Executive Secretary will be responsible for all recordkeeping, scheduling, correspondence, and other administrative tasks of the Union.

The Secretary shall be responsible for the keeping of minutes and attendance from any Union meeting of the rank-and-file membership or Executive Board. The Secretary shall safeguard and maintain minutes and records provided by Steward's Committee Chairpersons or their assigned delegates.

The Secretary will be responsible for receiving and processing all complaints received by the Union's membership.

Article 4 - Workers' Committees

Section 4.1 - The Steward Committee and its Duties

Each distinct building or workforce shall elect from its rank-and-file membership a committee of well-trained stewards known as the Steward Committee. Membership on this committee should strive to represent workers from every department and shift cohort.

Each Steward Committee shall draft and maintain its own Charter. This document shall contain limited by-laws. It shall outline committee structure as well as procedures that relate to operations, elections, and revision. It shall exist pursuant to the criteria put forth in this Constitution.

Steward Committee Charters must be ratified by the membership and are subject to approval by the President.

Duties of this committee shall include:

- (a). Discussing and voting on collective bargaining policy and strategy.
- (b). Surveying members and developing contract demands.
- (c). Voting to bring forward a strike referendum to the membership of the unit, subject to the approval of the Executive Board.
- (d). Electing a Committee Chairperson to preside over meetings and serve on the Executive Board.

A majority of Stewards represents a quorum.

Prior to a Collective Bargaining Agreement, the Steward Committee may designate itself and function as an Organizing Committee, pursuant to a provision in its Charter stating such.

Section 4.2 - Stewards

- (a). Stewards shall be Union members in good standing elected by the membership. Stewards may be removed by the Executive board for cause, otherwise department coworkers may petition for their removal.
- (b). Petitions for removal of a Steward must demonstrate signatures from fifteen (15) percent of the workers in the department that Steward represents, or five (5) workers from that department, whichever is greater. In all other cases, a majority petition is sufficient. The petition will be provided to the Executive Secretary, at which point the Executive Board will vote upon the question of removal.
- (c). Stewards shall not be considered officers of the Union but are representatives of the Union. Under no circumstances shall a Steward be permitted to receive or collect any money for or on behalf of the Union.
- (d). Stewards are empowered to investigate and present grievances in accordance with the provisions of their collective bargaining agreements.
- (e). The Stewards shall be empowered to transmit messages and information which shall originate with, and are authorized by the President of the Union, provided such messages and information, (i) have been reduced to writing, or (ii) if not reduced to writing, are of routine nature and do not involve work stoppages, slow downs, refusal to handle goods, or any other interference with the employer's business.
- (f). The procedure for nominating and electing stewards shall be outlined in the Steward Committee Charter.

Section 4.3 - Committee Chairperson

- (a). A Committee Chairperson shall be elected by the Workers' Committee through a plurality vote.
- (b). The Committee Chairperson is elected for a term of one (1) year.
- (c). A candidate for committee chairperson must be an elected Steward in good standing, and have at least ninety (90) days of experience in the unit their Steward Committee represents.

(d). It is the duty of the Committee Chairperson to call to order and preside over any meetings of the Steward Committee.

(e). The Committee Chairperson shall act as a member of the Executive Board.

Article 5 - Nomination of Officers

Section 5.1 - Nomination Procedure

- (a). Nominations for the elective offices of the Union shall be held at a general membership meeting during the month of February every three (3) years.
- (b). Not less than thirty (30) days prior to the membership meeting at which nominations will be made, notice thereof shall be posted in every work location, if applicable, and be communicated via normal electronic channels. Such notice shall list the offices and positions to be filled and the time and place of such meeting. The notice may also contain the date, time and place at which elections will be held if there are any contests. The notice shall also state that, if there are no contests, a formal election will not be necessary, and announcements of the officers elected by acclamation will be posted on bulletin boards on the premises of employers where union members are employed as well as by normal electronic channels.
- (c). At the nomination meeting, a Judge of Elections shall be appointed by the Executive Board subject to approval by the membership. The Judge of Elections shall not be candidate for office. The Judge of Elections shall possess all of the qualifications required of a candidate for office.
- (d). A member in good standing who meets the requirements of eligibility hereinbefore provided, may be nominated for office in the Union.
- (e). Nominations must be put forth by a member in good standing, and seconded by another member in good standing.
- (f). The member must be present to accept their nomination.
- (g). No member shall be eligible to be a candidate for office if the member is not nominated for said office.
- (h). Before nominations are closed, the Judge of Elections shall determine if any candidate is not eligible for office as hereinbefore provided.
- (i). The Judge of Elections shall prepare the official ballot, if there is a contest and an election is necessary. In the preparation of the official ballot, the Judge of

Elections shall then prepare the ballot subject to the rules as described by the Office of Labor Management Standards, with the names of the candidates listed in alphabetical order.

(j). In the event there is no contest for any office and the uncontested candidate for such office is found to be properly qualified, the Judge of Elections shall certify that there is no need for a secret ballot election with regard to said office and the nominee shall be declared duly elected.

(k). Any member who is notified in writing that they are ineligible to be a candidate for office by the Judges of Election, may, within seven (7) days after receipt of the notice, appeal the ruling to the Executive Board who shall decide such appeal within fourteen (14) days after receipt thereof, the decision of the Executive Board shall be final.

Article 6 - Elections

Section 6.1 - Election Procedure

- (a). The election of officers shall take place at a meeting of the organization following the month when nominations were made, but at least thirty (30) days following the date of the nomination meeting.
- (b). Elections shall be by secret ballot among the members entitled to vote and the balloting shall be held at such places and at such times as may be determined by the Executive Board. No absentee ballots shall be permitted. Members will not be permitted to write in the names of persons who were not nominated.
- (c). Adequate safeguards to insure a fair election shall be provided, including the right of any candidate to have an observer at the polls and at the counting of the ballots. Observers must be members of this Union.
- (d). The votes cast for each candidate shall be counted separately and published separately to the membership. Publication may be in writing or orally, at or prior to, the regular membership meeting following the date of election. The ballots and other records pertaining to the election shall be preserved for at least one year.
- (e). In the event that there is no contest for any office, then the Judge of Elections shall declare that such nominee has been duly elected to office and no election shall be required as to that office.

Section 6.2 - Challenging Conduct or Results

Any member who was entitled to vote may challenge the conduct or result of an election by writing a letter within seven (7) days of the election to the Judge of Elections to such effect. Such letter must contain at least the following: (i) A statement to the effect that they were eligible to vote in the election; (ii) A statement showing whether they did or did not vote in the election; (iii) A statement indicating whether their challenge is directed to the conduct of the election or the results, or both; (iv) A statement showing whether their challenge is directed to all persons elected or to less than all; (v) If less than all, a specification of the ones subject to their challenge; (vi) a full statement of all facts upon which they relies in support of their challenge; (vii) A

full statement of how the facts upon which they relies may have affected the outcome of the election; and (viii) A full statement of the relief which they seeks.

Upon receipt of the letter referred to above, the Judge of Elections shall promptly send a copy thereof to the Executive Board, initiate an investigation of the facts, hear the statements and contentions of all interested members, and render a decision in the matter. Any decision so rendered shall be final and binding upon this Union and all of its members.

Article 7 - Meetings

Section 7.1 - General Membership Meetings

General membership meetings shall be held at least six (6) times per year at a time and place determined by the Executive Board, but in no event less often than every three (3) months.

Special meetings of the members may be called by the Executive Board upon written petition signed by ten (10) percent of the entire membership. The written petition for a special meeting shall state the purpose for such meeting. All members shall be notified of a special membership meeting by notice posted on regular places for Union notices on the premises where the Union members are employed and by normal electronic means at least five (5) days before the meeting. The notice shall state the date, time, place and purpose for the special meeting. No business shall be transacted at a special meeting other than that which is stated in the call of the meeting.

Section 7.2 - Steward Committee Meetings

Steward Committee meetings should be held at least twice per month at a time and place determined by the Committee Chairperson Minutes must be made and provided for the review of the Executive Board and presented by the Committee Chairperson. Steward Committee meetings may be attended by any Executive Board Member.

Article 8 - Financial Aspects

Section 8.1 - Dues

Dues amounts and payment frequency will be democratically voted upon by the membership.

- (a). Dues payment for any eligible worker suffering without a Collective Bargaining Agreement will be voluntary and at the rate of \$5 per week.
- (b). All dues rates for eligible workers working under a Collectively Bargained Agreement will be democratically voted on by the members covered. The Executive Board will appoint a Dues Committee to discuss an appropriate dues rate and report back to the Executive Board within ten (10) days. A special membership meeting to vote on dues rate will be called with at least fourteen (14) days notice.

Section 8.2 - Handling and Distribution

The Secretary Treasurer shall be the chief financial officer of the Union and shall receive and collect all dues contributed to the union by its members, which may be paid out only on the approval of the President and in accordance with an approved budget prepared by the executive board.. All checks shall be co-signed by the Secretary-Treasurer and President.

Section 8.3 - Compensation

Whenever a member of this organization loses time from work when engaged in activities on behalf of the Union, and suffers a loss of income as a result thereof, the member may be compensated for their loss and expenses, provided, however, the member must have been duly authorized to so serve and act and been informed in writing that they would be reimbursed in an amount which the Executive Board shall, in its sole discretion, agree upon. Provided, further, neither compensation nor expenses shall be paid for attending membership meetings.

Section 8.4 - Dissolution

Upon dissolution of the Union, the Secretary-Treasurer shall arrange for the timely payment of any and all outstanding bills and debt obligations due and owing by the

Union. Should any funds remain in the treasury after the satisfaction of all outstanding bills and debt obligations, all such remaining assets shall be donated to a bona fide charity chosen by the members.

Article 9 - Charges and Grievances

Section 9.1 - Basis for Charges

The basis for charges against officers and members of this organization for which they shall be required to stand trial as hereinafter provided shall consist of one or more of the following:

- (a). Gross disloyalty to the Union and one's fellow members.
- (b). Gross negligence, inefficiency, nonfeasance, misfeasance, or malfeasance, which shall or threaten to hinder or impair the interests of the Union.
- (c). Misappropriation of union funds or property.
- (d). Physical abuse or threat of violence against a member.

Section 9.2 - Freedom of Deliberation and Assembly

It is not intended that members be precluded from participating in any deliberations in an orderly manner, nor to meet and assemble freely with other members and to express any views, arguments or opinions; provided that such activities do not violate the responsibility of a member to the Union and the member's conduct does not interfere with the performance by the union of its legal and contractual obligations.

Article 10 - Trials and Appeals

Section 10.1 - Fair Treatment

Every member of this Union shall be entitled to fair, equal and impartial treatment in the application of its rules and laws and in the interpretation and application of its rules relating to offenses, trials and appeals. The fundamental principles of due process, notice, hearing and judgment shall be observed, without, however, requiring any technical formality such as is followed in courts of law and administrative bodies.

The provisions of this Article being guides for justice and fair play, to be administered by laboring men and women who are not trained in the law, deviations from these procedures which do not substantially affect substantive rights of the members shall not suffice to invalidate any of the charges, trials or appeals.

Section 10.2 - Filing of Charges

When an officer or member in good standing prefers written charges against any other officer or member of the Union, the charges shall be in duplicate and be filed with the Executive Secretary of the Union. The charges shall be signed by the person preferring the charges and shall specify the provisions of the constitution to be relied upon or the agreement or rules alleged to have been violated or must otherwise set forth the specific violations or wrongs charged and the approximate date on which it is alleged to have occurred.

The Executive Secretary shall promptly notify the members of the Executive Board that charges have been filed and, after consultation with them, shall promptly set a date for a hearing and trial on said charges. Immediately thereafter, a copy of the charges shall be mailed to the accused, at their last known address. A written notice of the time and place where the hearing and trial will take place before the Trial Board, shall be mailed to the accused and to the charging party, not less than seven (7) days nor more than twenty (20) days before the date of said hearing and trial.

Section 10.3 - Trial Board

The members of the Executive Board of the Union shall constitute the Trial Board; except that neither the charging party nor the accused nor any member directly interested or involved in the charges may sit as a member of the Trial Board.

(a). In such cases, the President of the Union shall appoint a substitute or substitutes from the members in good standing. If the President is to be disqualified, then the Vice-President shall appoint a substitute or substitutes and if they are also to be disqualified, then the substitute shall be appointed by the remaining trial Board members.

(b). Where the charging party or the accused makes a request for a delay, the Trial Board may grant a postponement, for good cause shown.

Section 10.4 - Trial Procedure

The hearing and trial shall be conducted in an orderly, fair and impartial manner and should assure the full presentation of all the facts to the Trial Board.

(a). The burden of proof shall be on the charging party. If the charging party fails to appear, the charges shall be dismissed. If the accused fails to appear, the Trial Board shall proceed with the hearing and receive all the facts and evidence available.

(b). The charging party shall first present whatever evidence they possess to substantiate their charges. The accused shall have the right to be present throughout the trial and to cross-examine the charging party and any of their witnesses upon completion of their testimony.

(c). After the evidence in support of the charges has been received, the accused shall present their defense. The charging party shall have the right to cross-examine the accused and any of their witnesses upon completion of their testimony.

(e). The Trial Board shall record minutes of its meetings and proceedings and these minutes, together with any documents submitted, shall constitute the official record of the Trial Board.

Upon conclusion of the hearings, the Trial Board shall consider all of the evidence and arguments submitted and proceed to make its findings and decision by majority vote. It shall prepare a report of said findings and decision, which shall be signed by all members of the Trial Board. The Executive Secretary shall forthwith mail a copy of said report to the charging party and the accused at their last known addresses.

Section 10.5 - Decisions and Penalties

The decisions and penalties imposed upon any member or officer found guilty of any of the charges as to which they have been tried, may consist of a reprimand, fine, suspension, removal from office, suspension, or expulsion from membership, or order to do or perform or refrain from doing or performing specific acts, or any combination thereof.

Section 10.6 - Exhaustion of Remedies

No member shall bring or cause to be brought in any court, whether in law or equity, any action against the Union or their officers, representatives or employees, in any matter involving an issue arising out of or related to their membership, which is remediable within the framework of the Union Constitution without having first exhausted all of the remedies available under the aforesaid Constitution.

Article 11 - General Provisions

Section 11.1 - Recordkeeping

The Executive Secretary shall keep all union records other than election records for a period of not less than five (5) years.

Section 11.2 - Election Influence

No funds of the organization shall be used by the Union for the purpose of influencing or assisting the election in the Union of any union officer.

Section 11.3 - Political Contributions

No funds of the organization shall be used by the Union to further any political figure, including campaign contributions or donations to political parties, organizations, or funds.

Section 11.4 - Political Endorsements

No political endorsements may be made in the name of the Union as a whole. Individual officers or members may privately endorse political candidates at their own discretion.

Section 11.5 - Treasury Loans

No loans shall be made from the Union treasury to any individual or business enterprise.

Section 11.6 - Liability

The opinion of any attorney, accountant, or other professional consultant or expert hired pursuant to this Constitution shall be full and complete authority and protection with respect to any action taken, suffered or omitted by the Executive Board or any member thereof in good faith and in accordance with such opinion. Except for actions taken in bad faith, or constituting willful misconduct, the Executive Board, shall not be liable to any person or organization, for any action or omission by the Executive Board or any member in effectuation of the purposes and objects of this Constitution, and the interests of the members of this organization.

Article 12 - Amendments

Section 12.1 - Amendment Procedure

The within Constitution and By-Laws may be amended by the following procedure:

1. Any proposed amendment must be in writing and signed by any twenty (20) members in good standing and be submitted to the Secretary no later than sixty (60) days prior to the general or special meeting at which the proposed amendment will be acted upon.
2. The Secretary shall forthwith refer the proposed amendments to the members of the Executive Board of the Union.
3. The Executive Board shall discuss the proposed amendments at its next special or regular Board meeting.
4. The Executive Board shall take a vote on the proposed amendment and determine whether or not a majority are in favor thereof.
5. The Executive Board shall notify the Executive Secretary of its vote either in favor of or against the proposed amendment and may accompany the result of their vote with a memorandum in support of the vote of acceptance or rejection.
6. The Executive Secretary shall provide notices to be posted on all bulletin boards and places for union notices on the premises where union members are employed, notifying members of the proposed amendments, the vote of acceptance or rejection by the Executive Board and copies of the Executive Board's memorandum in support of its vote, together with notice of time and place of the general or special meeting at which the proposed amendments will be acted upon by the members in general or sectional meetings.
7. If the Executive Board votes in favor of adoption of the proposed amendments as provided for in (4) above, it shall require only a majority of the total vote cast by the members for the adoption of said proposed amendment. If the Executive Board votes against adoption of the proposed amendment, it shall require two-thirds (2/3) of the total votes cast by the members for adoption of the proposed amendment.

Article 13 - Ratification

No collective bargaining agreement may go into effect and be binding on the Union and its members absent a ratification vote at the workplace affected. by a showing of support by a majority of the voting members affected by the Agreement.

Article 14 - Savings Clause

If any provision of the within Constitution and By-Laws is held to be invalid by operation of law or by any competent authority or tribunal, the remainder of the Constitution or the application of such provision to persons or circumstances other than those as to which it has been held illegal or invalid shall not be affected thereby.

If any provisions of this Constitution shall be found or declared to be illegal, invalid or inoperative, by any competent authority of the legislative, executive, judicial or administrative branch of a Federal, State or provincial government, the Executive Board is empowered to substitute during the period of its invalidity a provision which will meet the objections to its invalidity and which will be consistent with the intent and purpose of the invalid provision.

Pre-Certification Provision

Pursuant to a founding convention, the Provisional Executive Board was instituted. A Provisional election was conducted at the founding convention.

Upon the resignation of any provisional Executive Board member, a new provisional Executive Board member shall be appointed by the remaining provisional Executive Board members. The provisional Executive Board may by a vote of the majority remove any provisional Executive Board member. The provisional Executive Board is also empowered to change the composition of the provisional Executive Board and its duties by a vote of the majority present.

The initial election under these bylaws shall be conducted in 2024 or 60 days after certification of representation, whichever occurs first.